

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

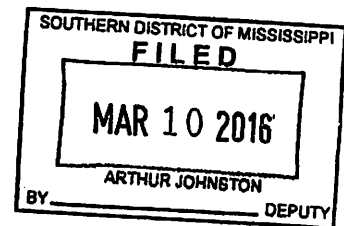
UNITED STATES OF AMERICA

v.

CRIMINAL NO. *3:16CV12 DPJ-LRA*

RICHARD CALVIN HARPER and  
ANDREW SNEED

18 U.S.C. § 371  
18 U.S.C. § 549  
18 U.S.C. § 659



**The Grand Jury charges:**

At all times relevant to this indictment:

1. Richard Calvin Harper is a resident of Hinds County, Mississippi;
2. Andrew Sneed is a resident of the State of California;
3. Levi Strauss & Company (Levi Strauss) operated a United States Customs bonded warehouse, located at 501 Denim Way, Canton, Mississippi;
4. Although the United States Customs bonded warehouse was physically located within the territory and jurisdiction of the United States, for purposes of customs entry procedures and payment of duties and taxes, the warehouse was considered to be outside the United States and in foreign commerce. Goods and materials brought into and held within the bonded warehouse are not subject to customs duties and taxes unless and until the goods and materials are withdrawn from the bonded warehouse and placed into domestic commerce;
5. On July 4, 2015, Levi Strauss's bonded warehouse contained several tractor/trucks and bonded trailers containing merchandise owned by Levi Strauss but not yet entered into domestic commerce;
6. On the morning of July 5, 2015, Levi Strauss found three of its trailers containing Levi Strauss merchandise missing and the fencing surrounding its bonded warehouse breached;
7. The content of one of the trailers was recovered on July 5, 2015;
8. The contents of the other two trailers was not recovered; and

9. The value of the contents taken and not recovered was approximately \$1,500,000.00.

COUNT 1

That from on or about a date unknown to the Grand Jury, but at least as early as July 4, 2015, through July 5, 2015, in Madison County in the Northern Division of the Southern District of Mississippi, and elsewhere, the defendants, **RICHARD CALVIN HARPER and ANDREW SNEED**, did knowing and willfully conspire with each other and with others known and unknown to the Grand Jury, to commit offenses against the United States as follows:

To steal merchandise stored in a bonded warehouse or which were in United States Customs' custody or control, in violation of 18 U.S.C. § 549; to transport and receive merchandise which had been stolen from a bonded warehouse or which were in United States Customs' custody or control, in violation of 18 U.S.C. § 549; to steal goods from an interstate or foreign shipment having a value exceeding \$1,000.00, in violation of 18 U.S.C. § 659; and, to possess, purchase or receive goods stolen from an interstate or foreign commerce shipment having a value exceeding \$1,000.00, in violation of 18 U.S.C. § 659.

It was a part of the conspiracy that the defendants would steal and carry away shipments of clothing from the bonded warehouse of Levi Strauss in Canton, Mississippi.

It was a part of the conspiracy that the defendants would transport the shipments from the Canton, Mississippi location to a warehouse in Clinton, Mississippi, for loading onto different trailers hauled by different tractor-trucks for further transportation.

It was a part of the conspiracy that the defendants would receive compensation for their roles in the conspiracy.

In furtherance of the conspiracy and to carry out its objectives in the Southern District of Mississippi, and elsewhere, the defendants and others committed and caused to be committed overt acts including, but not limited to, the following:

1. Sometime prior to July 4, 2015, the specific date unknown to the Grand Jury, defendant **ANDREW SNEED** and others met defendant **RICHARD HARPER** in Jackson, Mississippi, and discussed a plan to steal merchandise from Levis Strauss in Canton, Mississippi;
2. Several days prior to July 4, 2015, **SNEED** contacted **HARPER** and informed him that the merchandise would be taken and transported from Levis Strauss in Canton, Mississippi, on “firecracker day”;
3. On the evening of July 4, 2015, **HARPER** attempted to solicit help from another to offload the stolen merchandise from the trailers taken from Levi Strauss and to load the merchandise on different private trailers to be used by the coconspirators to further transport the merchandise;
4. On the evening of July 4, 2015, coconspirators forced entry through the fencing of the bonded warehouse facility of Levi Strauss;
5. On the evening of July 4, 2015, **SNEED** and others transported the trailers holding merchandise from Levis Strauss to a warehouse in Clinton, Mississippi;
6. While at the warehouse in Clinton, Mississippi, on July 4, 2015, **HARPER** and **SNEED** assisted others in the transferring of the merchandise from the original trailers to trailers supplied by coconspirators;
7. **HARPER** was paid for his assistance in providing the warehouse in Clinton and for transferring the merchandise from the original trailers to trailers of the coconspirators;

All in violation of Section 371, Title 18, United States Code.

COUNT 2

On or about July 4, 2015, in Madison County in the Northern Division of the Southern District of Mississippi, and elsewhere, defendants **RICHARD CALVIN HARPER and ANDREW SNEED**, aiding and abetting each other and by others, did maliciously, and with the intent to steal, enter a bonded warehouse, vessel, or vehicle, and stole merchandise, to wit: approximately \$1,500,000.00 worth of Levi Jeans and Docker's clothing, that were in the control of the United States Customs, in violation of Section 549 and Section 2, Title 18, United States Code.

COUNT 3

On or about July 4, 2015, in Hinds County in the Northern Division of the Southern District of Mississippi, and elsewhere, defendants **RICHARD CALVIN HARPER and ANDREW SNEED**, aiding and abetting each other and by others, did knowingly receive merchandise that had previously been stolen or unlawfully removed from a bonded warehouse, vessel, or vehicle, to wit: approximately \$1,500,000.00 worth of Levi Jeans and Docker's clothing, in violation of Section 549 and Section 2, Title 18, United States Code.

COUNT 4

On or about July 4, 2015, in Madison County in the Northern Division of the Southern District of Mississippi, and elsewhere, defendants **RICHARD CALVIN HARPER and ANDREW SNEED**, aiding and abetting each other and by others, did knowingly steal and unlawfully take goods valued at \$1,000.00 or more, namely, approximately \$1,500,000.00 worth of Levi Jeans and Docker's clothing, located at Canton, Mississippi, with intent to convert to their own use, which goods were moving as, and which were a part of, and which constituted an

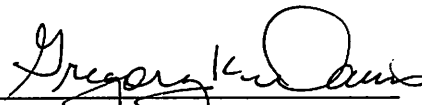
interstate and foreign shipment of freight, in violation of in violation of Section 659 and Section 2, Title 18, United States Code.

NOTICE OF INTENT TO SEEK CRIMINAL FORFEITURE

As a result of committing the offenses as alleged in this Indictment, the defendants shall forfeit to the United States all property involved in or traceable to property involved in the offenses, including but not limited to all proceeds obtained directly or indirectly from the offenses, and all property used to facilitate the offenses.

Further, if any property described above, as a result of any act or omission of the defendants: (a) cannot be located upon the exercise of due diligence; (b) has been transferred or sold to, or deposited with, a third party; (c) has been placed beyond the jurisdiction of the Court; (d) has been substantially diminished in value; or (e) has been commingled with other property, which cannot be divided without difficulty, then it is the intent of the United States to seek a judgment of forfeiture of any other property of the defendant, up to the value of the property described in this notice or any bill of particulars supporting it.

All pursuant to Section 982(a)(2), Title 18, United States Code.

  
GREGORY K. DAVIS  
United States Attorney

Foreperson of the Grand Jury

This Indictment was returned in open court by the foreperson or deputy foreperson of the Grand Jury on this the 10<sup>th</sup> day of March, 2016.

  
HEIDI R. ANDERS  
UNITED STATES MAGISTRATE JUDGE